

### **REMARKS**

The Notice of Non-Compliant Amendment dated December 2, 2005, indicated that the "unsigned" amendment filed on November 23, 2005, did not meet amendment practice. Therefore, Applicants submit a full and complete response to the Office Action dated October 12, 2005.

The Office Action dated October 12, 2005, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto. Claims 6-11 are pending in this application. Claims 8 and 10 have been withdrawn from consideration pursuant to an Election of Species Requirement dated July 5, 2005. Accordingly, claims 6, 7, 9 and 11 are respectfully submitted for consideration.

Claims 6, 7, 9 and 11 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 6,617,693. The Applicants respectfully traverse the rejection. However, in order to expedite prosecution and place the application in condition for allowance, the Applicants submit herewith the attached Terminal Disclaimer.

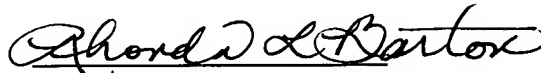
The Applicants submit that the Terminal Disclaimer is in compliance with 37 C.F.R. § 1.321(c), and therefore, overcomes the above-noted rejection of claims 6, 7, 9 and 11. Accordingly, the Applicants respectfully request withdrawal of the obviousness-type double patenting rejection, allowance of claims 6, 7, 9 and 11, and the prompt issuance of a Notice of Allowability.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

The Applicants submit that the Terminal Disclaimer fees were authorized in the Papers filed with the Response on November 23, 2005, as such, no fees should be due with respect to this paper.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing Attorney Dkt. No. 103213-00051.**

Respectfully submitted,



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Enclosure: Terminal Disclaimer  
Submission of Terminal Disclaimer

TECH/380244.1

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Attorney Docket No. 103213-00051

TECH/389568.1